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|-------------------------------|-------------------------|--------------------|---|
| <b>Notice of Allowability</b> | Application No.         | Applicant(s)       |  |
|                               | 10/051,993              | ILLINGWORTH, LEWIS |   |
|                               | Examiner<br>Fred Prince | Art Unit<br>1724   |   |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to November 21, 2003.
2.  The allowed claim(s) is/are 1-20 and 23-35 (renumbered as 1-33).
3.  The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

5.  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
  - (a)  The translation of the foreign language provisional application has been received.
6.  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No. \_\_\_\_\_.
  - (b)  including changes required by the proposed drawing correction filed 21 November 2003, which has been approved by the Examiner.
  - (c)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

|   |   |
|---|---|
| <input type="checkbox"/> Notice of References Cited (PTO-892)   | <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)          |
| <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____.            |
| <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No. _____. | <input type="checkbox"/> Examiner's Amendment/Comment                             |
| <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
|   | <input type="checkbox"/> Other  |

  
**FRED G. PRINCE**  
**PRIMARY EXAMINER**  
12/23/03

## REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance:

Per claims 1-20 and 22-34, the examiner is persuaded by the remarks presented by applicant on November 21, 2003. As applicant admits, it is known to recirculate at least a portion of the fluid in the apparatus or method, however, it appears to be novel to recirculate a substantial unit volume of the fluid in the apparatus or method. Accordingly, an apparatus or method which fails to recirculate a substantial unit volume of fluid falls outside the scope of the instant invention.

Per claim 35, while it is known in the art to provide a cleaner with an impeller for fluid flow, a motor for powering said impeller; a toroidal vortex nozzle, the nozzle coupled to the impeller, a centrifugal separation chamber, a collector for storing matter, in the examiner's opinion, the prior art fails to teach or fairly suggest the cleaner further including wheels and straightening vanes.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fred Prince whose telephone number is (571) 272-1165. The examiner can normally be reached on Monday-Thursday, 6:30-4:00; alt. Fridays 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Blaine R. Copenheaver can be reached on (571) 272-1156. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-0987.

*Fred G. Prince*  
FRED G. PRINCE  
PRIMARY EXAMINER  
12/23/03